

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT CHARLES COLE,

Defendant,

and,

JA VIAN MICHELLE JONES,

Third-Party Claimant.

No. CR17-5133-BHS

**ORDER GRANTING THE UNITED
STATES' UNOPPOSED MOTION FOR
SUMMARY JUDGMENT AND
DISMISSING THIRD-PARTY CLAIM**

THIS MATTER comes before the Court on the United States' unopposed Motion for a Summary Judgment and Dismissal of Third-Party Claim ("Motion").

The Court, having reviewed the United States' Motion, the supporting Declaration of AUSA Michelle Jensen and attached exhibits, the claim and supporting materials filed by Ms. Ja Vian Michelle Jones, and the other papers and pleadings filed in this matter, hereby FINDS:

- 1) The evidence Ms. Jones has produced in discovery, when viewed in the light most favorable her claim, cannot establish her asserted interest in the \$6,000 forfeited by the Defendant Robert Cole; and,
- 2) Judgment as a matter of law is therefore appropriate, and an evidentiary hearing is not required.

NOW, THEREFORE, THE COURT ORDERS:

- 1) The United States' Motion for Summary Judgment is GRANTED;
- 2) The third-party claim Ms. Jones has filed to the \$6,000 (Dkt. No. 123) is DISMISSED.

IT IS SO ORDERED.

DATED this 4th day of December, 2020.



BENJAMIN H. SETTLE

United States District Judge

Presented by:

/s Michelle Jensen

MICHELLE JENSEN

Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101
(206) 553-2619
Michelle.Jensen@usdoj.gov